Case 19-22329-SLM Doc 20 Filed 07/28/19 Entered 07/29/19 00:40:18 Desc Imaged

Certificate of Notice Page 1 of 4

RUSSELL L. LOW, ESQ. RLL-4745 LOW & LOW, ESOS. 505 Main Street - Suite 304 Hackensack, New Jersey 07601 (201) 343-4040 Attorneys for Debtor

Order Filed on July 26, 2019 by Clerk, U.S. Bankruptcy Court -**District of New Jersey** 

In Re:

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW JERSEY

Willie J. Cheatham

CHAPTER 13

CASE NO. 19-22329

HONORABLE STACEY L. MEISEL

Debtor

Hearing Date: July 24, 2019 at 10:00 a.m.

CONSENT ORDER RESOLVING THE MOTION TO EXTEND THE AUTOMATIC STAY AS TO FAY SERVICING, BAYVIEW LOAN SERVICING, AND AS TO ALL CREDITORS

The relief set forth on the following page is hereby ORDERED.

**DATED: July 26, 2019** 

Honorable Stacey L. Meisel United States Bankruptcy Judge Willie J. Cheatham

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Upon the Motion to Extend Stay as to U.S. Bank/Fay Servicing and all Creditors filed by Russell L. Low on behalf of the debtor, Willie J. Cheatham (Doc. 10),

## IT IS HEREBY ORDERED that:

- The Automatic Stay is extended there as to U.S. Bank/Fay Servicing, Bayview Loan Servicing, and as to all creditors.
- 2. U.S. Bank/Fay Servicing is permitted to proceed in the foreclosure action for the property at 1172 Katherine Street Teaneck, NJ 07666. However, in order to sell the property at sheriff's sale, Secured Creditor must first seek relief from the Automatic Stay from the Bankruptcy Court by filing a Certification of Default. Secured Creditor must provide proper notice of the same to the Chapter 13 Trustee, the Debtor and Debtor's counsel pursuant to local bankruptcy rules.
- 3. The debtor must tender July's post-petition mortgage payment for \$1,313.09 by July 31, 2019.
- 4. The debtor must commence making regular mortgage payments for \$1,313.09 starting August 1, 2019.
- 5. If the Debtor (s) fails to make any mortgage payments within thirty (30) days of the date the payments are due according to this Consent Order, or if any of the funds paid fail to clear for insufficient funds or are dishonored for any reason, then the Secured Creditor may submit a Certification of Default to the Bankruptcy Court, specifying the Debtor's failure to comply with this Consent Order, with a copy of any application, supporting certification, and proposed order

to be served on the Chapter 13 Standing Trustee, Debtor's Counsel, and Debtor as required by the local bankruptcy rules.

This Order hereby resolves the Secured Creditor's Objection to Motion to Extend Stay (Doc. 17).

Date: July 25, 2019

Date: 7/25/19

/s/ Russell L. Low

RUSSELL L. LOW, ESQ.

Attorney for Debtor

EMMANUEL J. ARGENTIERI, ESQ. Attorney for Secured Creditor

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ted States Bankruptcy District of New Jersey

In re:
Willie J. Cheatham Debtor

Case No. 19-22329-SLM

Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2 User: admin Page 1 of 1 Date Rcvd: Jul 26, 2019 Form ID: pdf903 Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 28, 2019.

db +Willie J. Cheatham, 723 Bloomfield Avenue, Clifton, NJ 07012-1240

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 28, 2019 Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 26, 2019 at the address(es) listed below:

Emmanuel J. Argentieri on behalf of Creditor U.S. Bank National Association as Legal Title Trustee for Truman 2016 SC6 Title Trust bk@rgalegal.com

Marie-Ann Greenberg magecf@magtrustee.com Russell L. Low on behalf of Debtor Willie J. Cheatham rbear611@aol.com, ecf@lowbankruptcy.com;r57808@notify.bestcase.com

USTPRegion03.NE.ECF@usdoj.gov U.S. Trustee

TOTAL: 4